

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

LISA DUER,

*Plaintiff,*

v.

BENSUSSEN DEUTSCH &  
ASSOCIATES, INC.; ELI LILLY AND  
COMPANY,

*Defendant.*

CIVIL ACTION FILE

NO. 14-cv-01589-ELR

**DECLARATION OF ERIC A. LINDBERG IN SUPPORT OF  
DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Eric A. Lindberg, hereby declare as follows:

1. I am a citizen of the United States and of the State of Washington, over the age of eighteen (18) years, not a party to the above-entitled proceeding, and competent to be a witness therein.

2. I am counsel of record for Defendant Bensussen Deutsch & Associates, Inc. in the above-captioned case. I make the following statements from personal knowledge, unless otherwise noted, and am competent to testify regarding the matters herein.

3. Attached as Exhibit A is a true and correct copy of an email from

Charlie Peeler to Mike Hogan dated March 26, 2015.

4. Attached as Exhibit B is a true and correct copy of an email chain between Charlie Peeler and Defendants' counsel dated between March 16, 2015 and March 24, 2015.

5. Attached as Exhibit C is a true and correct copy of the deposition of Ronald B. Kemnitzer taken on March 26, 2015.

I declare under penalty of perjury under the laws of the United State of America and the State of Washington that the foregoing is true and correct.

Dated and executed this 21st day of April, 2015, in Seattle, Washington.

/s/ Eric A. Lindberg  
Eric A. Lindberg

**CERTIFICATE OF SERVICE**

I hereby certify that on April 21, 2015, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all counsel of record.

By: /s/ Eric Lindberg

Eric Lindberg  
*Counsel for Defendant Bensussen Deutsch  
& Associates, Inc.*